

**Murray Code Enforcement Board Minutes**  
**May 1, 2007**

The Murray Code Enforcement Board met in regular session on May 1, 2007 at 5:00 p.m. in the council chambers of City Hall located at 104 North 5<sup>th</sup> Street.

**Board Members Present:** Mitzi Key, Thomas Rottinghaus, and Sam Underwood

**Board Members Absent:** Ben Blakely

**Others Present:** David Roberts, Dannetta Cossey, and Matt Jennings

**Mitzi Key made a motion due to the absence of Chairman Blakely to appoint Thomas Rottinghaus as Interim Chairman for this meeting. Sam Underwood seconded the motion and it carried by a 3-0 voice vote.**

Interim Chairman Thomas Rottinghaus called the meeting to order and had an attendance roll call.

**Approve Minutes from November 7, 2006 Meeting:** Interim Chairman Rottinghaus asked for approval of the November 7, 2006 minutes. **Mitzi McCallon made a motion to approve the November 7, 2006 minutes. Sam Underwood seconded the motion and it carried by a 3-0 voice vote.**

**Default Case – Blanton Family c/o Eugene Blanton:** Interim Chairman Rottinghaus called the default case to order and Dannetta Cossey read the case information. Mr. Rottinghaus asked if any Board member had any direct or indirect financial or personal interest in any matter to be decided by the Board. All board members answered no. Mr. Rottinghaus asked the City representative, Patrick Morris to come forward and state his name, his title and position with the City and administered the oath. Officer Morris stated that the Police Department had received a complaint for 109 Pine Street and that the initial complaint was for two cars on the vacant lot, rubbish, lawn mower, wood and abandoned property and undergrowth at the wood line on the south side of the property. Officer Morris said the original complaint was received on March 27, 2007 and upon his arrival at the property on March 30, 2007, he spoke with Charles Blanton who lives at 110 Spruce. Officer Morris issued Charles Blanton a seven day warning by giving him a courtesy notice advising him of the codes in violation. On April 7, 2007, Officer Morris stated that he re-checked the property and noticed no changes and was told by Lem Blanton, brother of Charles Blanton that his mother Virginia Blanton was the owner of the property and that items on the property belonged to Eugene Blanton. Officer Morris said at this time, Eugene Blanton arrived at the property and was given a copy of the citation and was advised of the codes that were in violation and a possible \$100.00 per day fine that could be enforced if he didn't come into compliance within seven days. At this time, Officer Morris submitted pictures that were taken of the property by Captain Potts in March and also pictures that Officer Morris had taken today. Mr. Rottinghaus asked if the pictures adequately reflect

what the property looked like. Officer Morris answered yes. Mr. Rottinghaus asked Officer Morris if he felt the ordinances were still in violation. Officer Morris said some work had been done but one abandoned automobile, a pile of rubbish, and the undergrowth on the south end of property in his opinion were not in compliance. Mr. Rottinghaus asked if the notice of violation was issued in person. Officer Morris answered yes. Mrs. Key asked if seven days was the normal time that was given to come into compliance. Officer Morris answered that seven days is the normal amount of time given but depending on weather and whether they are showing progress, the time can be extended. Mr. Underwood asked if Mr. Blanton had stated that he would take care of the violations. Officer Morris stated that on the first visit, Charles Blanton told him that he would get in touch with Eugene Blanton and they would start working on the violation and on the second visit Eugene Blanton told him that he was restoring the Thunderbird car but didn't mention what his intentions were. Interim Chairman Rottinghaus closed the default case and the Board began to deliberate. Mrs. Key stated that it appeared to her that very little had been done and to her knowledge Mr. Blanton had not asked for more time to get the violations taken care of. Mr. Underwood stated that he was disappointed that Mr. Blanton had not contested or corrected the violations and that made him in default. Mr. Rottinghaus stated he felt that Officer Morris met all legal requirements and that the date, time, name, address, facts constituting the offense, sections of the Code of Ordinance that were in violation and the civil fine that could be imposed along with the seven day grace period where all stated on the citation. Mr. Rottinghaus said he felt the Board needed to determine what penalty to be assigned. After more deliberation **Sam Underwood made a motion ordering the Blanton Family c/o Eugene Blanton to pay a civil fine in the amount of \$325.00 to the City of Murray and to come in compliance of the violations within 15 days. In the event of non-compliance after the 15 days, the Blanton Family c/o Eugene Blanton is ordered to pay a civil fine in the amount of \$1,700.00 and an additional fine of \$100.00 per day until the violations are corrected. Mitzi Key seconded the motion and it carried by a 3-0 roll call vote.**

### **Election of Chairperson**

Sam Underwood nominated Thomas Rottinghaus to be Chairperson of the Code Enforcement Board and Mr. Rottinghaus accepted the nomination. **Sam Underwood made a motion to elect Thomas Rottinghaus as Chairperson of the Code Enforcement Board. Mitzi Key seconded the motion and it carried by a 3-0 voice vote.**

Ms. Cossey informed the Board that there would be a meeting next month on the first Tuesday of the month which is June 5, 2007.

Being no further business, Sam Underwood made a motion to adjourn.

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Interim Chairman, Thomas Rottinghaus

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Recording Secretary, Dannetta Cossey